

**LEGISLATIVE SERVICES AGENCY
OFFICE OF FISCAL AND MANAGEMENT ANALYSIS**

200 W. Washington, Suite 301
Indianapolis, IN 46204
(317) 233-0696
<http://www.in.gov/legislative>

FISCAL IMPACT STATEMENT

LS 6614

BILL NUMBER: SB 198

NOTE PREPARED: Feb 3, 2004

BILL AMENDED: Jan 29, 2004

SUBJECT: Geologists.

FIRST AUTHOR: Sen. Server

FIRST SPONSOR:

BILL STATUS: As Passed Senate

FUNDS AFFECTED: **GENERAL**
 X DEDICATED
 FEDERAL

IMPACT: State

Summary of Legislation: (Amended) This bill creates a license for a geologist in training. The bill also allows geologists to form professional corporations.

Effective Date: July 1, 2004.

Explanation of State Expenditures:

Explanation of State Revenues: This bill creates a geologist in training (GIT) license under the Board of Licensure for Professional Geologists. The Board is freestanding, and the licenses it issues are self-supporting, as will be the GIT license. It is expected that the Board will charge between \$15 and \$20 for a GIT license, which will be renewed every three years at the same price. It is also estimated that fewer than 50 individuals will seek a GIT license annually, and those individuals generally take 4 to 5 years to obtain a professional geologist license. Currently, the Board charges an application fee of \$70 and a renewal fee of \$90 every three years for a professional geologist license.

The bill would make it a violation to falsely represent oneself as a licensed geologist in training. The penalty is a Class B misdemeanor. If additional court cases occur and fines are collected, revenue to both the Common School Fund and the state General Fund would increase. The maximum fine for a Class B misdemeanor is \$1,000. Criminal fines are deposited in the Common School Fund. If the case is filed in a circuit, superior, or county court, 70% of the \$120 court fee that is assessed and collected when a guilty verdict is entered would be deposited in the state General Fund. If the case is filed in a city or town court, 55% of the fee would be deposited in the state General Fund.

This bill also provides that one or more geologist professionals may form a professional corporation to render

services that may legally be performed only by a geological professional. The Secretary of State requires that an articles of incorporation document be filed for each for-profit corporation established in Indiana. The document processing fee is \$90. Corporations are also required to file biennial reports (\$30 fee). The above provision may increase fee revenue, which is deposited in the state General Fund.

Explanation of Local Expenditures: *Penalty Provision* - A Class B misdemeanor is punishable by up to 180 days in jail. The average daily cost to incarcerate a prisoner in a county jail is approximately \$44.

Explanation of Local Revenues: *Penalty Provision* - If additional court actions occur and a guilty verdict is entered, local governments would receive revenue from the following sources: (1) The county general fund would receive 27% of the \$120 court fee that is assessed in a court of record. Cities and towns maintaining a law enforcement agency that prosecutes at least 50% of its ordinance violations in a court of record may receive 3% of court fees. If the case is filed in a city or town court, 20% of the court fee would be deposited in the county general fund and 25% would be deposited in the city or town general fund. (2) A \$3 fee would be assessed and, if collected, would be deposited into the county law enforcement continuing education fund. (3) A \$2 jury fee is assessed and, if collected, would be deposited into the county user fee fund to supplement the compensation of jury members.

State Agencies Affected: Secretary of State.

Local Agencies Affected: Trial courts, local law enforcement agencies.

Information Sources: Amanda Wilson, Board of Licensure for Professional Geologists, (812) 855-7636; Secretary of State.

Fiscal Analyst: Valerie Ruda, 317-232-9867.